

KAREN E. BEZNER, ESQ.
567 Park Avenue, Suite 103
Scotch Plains, New Jersey 07076
(908) 322-8484
Attorney for Qi Zhi Luan

Karen E. Bezner
KB 5770

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of:	:	In Proceedings Under Chapter 13
	:	of the Bankruptcy Code
MIGDALIA VELEZ VALENTIN,	:	
	:	Hon. Christine M. Gravelle, U.S.B.J.
Debtor.	:	Bankruptcy No. 17-17768
	:	
	:	

OBJECTION TO CONFIRMATION

Qi Zhi Luan, creditor herein, by and through her counsel, by way of objection to the confirmation of the debtor's proposed Chapter 13 Plan, states as follows:

1) Ms. Luan has filed a motion for relief from the automatic stay to continue prosecution of a specific performance suit currently pending in the Superior Court of New Jersey, Middlesex County, Chancery Division, General Equity Part, Docket No. C-9-17 and entitled Qi Zhi Luan v. Migdalia Velez-Valentin. This creditor requests that confirmation be adjourned to a date subsequent to disposition of this motion.

2) Despite requests, Ms. Valez-Valentin has failed to confirm her residency at 113 Durham Avenue, Metuchen, New Jersey, which property is the subject of the specific performance suit. Despite listing that property as her residence on her bankruptcy petition, Ms. Velez-Valentin was served with the summons and complaint in the state court proceeding at her apartment at 2 Redfield Village, Apartment C-4, Metuchen, New Jersey, and has confirmed that she retains a lease on that premises.

3) The debtor's real property at 113 Durham Avenue, Metuchen, New Jersey is occupied by an adult son, who is employed. However, the debtor has not included any rent from her son as income. This creditor objects to the son's residency absent payment of rents and inclusion of such rents to fund the debtor's Chapter 13 plan.

4) The debtor has failed to value her property interest in Puerto Rico, listing said value as "unknown". The value of that interest should be available to fund the debtor's Chapter 13 Plan.

5) Despite request at the 341(a) meeting, the debtor has failed to provide this creditor with a copy of her 2016 tax return, as required by 11 U.S.C. Section 521(e)(1)(C). As stated therein, failure to comply with such request requires dismissal of the case.

6) Accordingly, this creditor requests that confirmation be denied, and the case be dismissed.

KAREN E. BEZNER, ESQ.
Counsel for Creditor Qi Zhi Luan

By: /s/ Karen E. Bezner
Karen E. Bezner

Dated: July 12, 2017